

(D) contain performance-based provisions to be included in the contract for the project, including—

(i) clearly stated and results-oriented performance

criteria and measures;

(ii) appropriate incentives for the contractor to meet and exceed the performance criteria effectively and efficiently;

(iii) appropriate criteria and incentives for the contractor to seek and engage subcontractors who may more effectively and efficiently perform either unique and technologically challenging tasks or routine and interchangeable services;

(iv) specific incentives for cost savings;

(v) financial accountability; and

(vi) when appropriate, reduction of fee for failure to meet minimum performance criteria and standards.

(E) demonstrate that the project will use new and innovative cleanup and waste management technology with potential for application to other locations and facilities without requiring

the development of new technologies; and

(F) demonstrate that the project can be completed within 10 years from the date of its selection.

(4) PROGRAM ADMINISTRATION.—The Secretary of Energy acting through the Assistant Secretary for Environmental Management shall implement a program to carry out the provisions of this section.

(5) SELECTION OF PROJECTS.—(1) The Secretary of Energy shall select closure-acceleration projects to be carried out under this section from among those projects established as eligible under subsection (c) that will result in the most significant long-term cost savings to the Government and the most significant reduction of imminent risk.

(2) For each project selected, the Secretary shall submit to Reports.

Congress a report setting forth the reasons why the project was selected, based on the criteria under subsection (c)(2) and paragraph

(1) of this subsection.

(6) MULTYEAR CONTRACTS.—Notwithstanding section 304B(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c(d)), the Secretary of Energy may enter into multi-year contracts to carry out projects selected under this section for up to 10 program years.

(7) FUNDING.—(1) In the budget submitted to Congress under President,

section 1105(a) of title 31, United States Code, each year, the President shall set forth funds for carrying out closure-acceleration projects under this section as a separate item in the environmental restoration and waste management account of the Department of Energy budget.

- (8) Funds appropriated for purposes of carrying out projects under this section shall remain available until expended.
- (9) If a closure-acceleration project is being carried out at a defense nuclear facility with funds appropriated for such projects, the Secretary of Energy may not reduce the funds otherwise allocated to that defense nuclear facility for environmental restoration and waste management by reason of the funds being used for the project at that facility.
- (10) Funds appropriated for purposes of carrying out projects under this section may not be used for an item for which Congress